

REMARKS

Claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Mamros et al., U.S. Patent No. 6,360,269 ("Mamros") in view of an IBM Technical Disclosure Bulletin entitled "Heuristic Method for Grouping Based on Traffic Counts" ("IBM TDB"). Applicant respectfully disagrees and traverses this rejection for at least the following reasons.

Each of the claims of the present invention requires the prediction of exchanges of a "specific quantity of communication traffic between network elements" by, among other things, calculating "a weighted traffic flow per usage for a given network element" and "comparing the value of said weighted traffic flow per usage with a remainder value of said specific quantity of communication traffic yet to be processed."

Said another way, the present invention involves the comparison of traffic which has been processed with a value which represents an amount of traffic that can be processed based on a specific quantity of traffic (e.g., a so-called security association, SA) that can be exchanged between network elements.

As the Office Action points out, Mamros does not teach or disclose such a comparison in order to predict the exchange of a specific quantity of communication traffic between network elements. To overcome this deficiency, the Office Action relies on the IBM TDB. However, the IBM TDB is not related to the prediction of an exchange of a specific quantity of traffic between network elements. Instead, the IBM TDB is directed at a method of grouping

nodes in a massive node server system. It is wholly unrelated to the determination or prediction of the exchange of a specific quantity of traffic between network elements, as is required by claims of the present invention.

Furthermore, with respect to claims 3-5, 11-13 and 18-20, the IBM TDB is wholly unrelated to the prediction of an exchange of a specific quantity of communication traffic which corresponds to a security association, SA, as in claims 3-5, 11-13 and 18-20 of the present invention.

Yet further, the IBM TDB does not disclose or suggest an Internet protocol security (IPSEC) security association, as in claims 5, 13, and 20 of the present invention.

For the above reasons, Applicant submits that claims of the present invention would not have been obvious to one of ordinary skill in the art by reading the combination of Mamros and the IBM TDB at the time the present application was filed.

Yet further, Applicant respectfully submits that the combination of these two references is inappropriate because their combination would render one or both of the references unsatisfactory for their intended purposes or require one or both of the references to change their principle of operation. For example, the IBM TDB is wholly unrelated to the issue of the exchange of security associations used in encrypting data. Therefore, the principle of operation of the heuristic methods in the IBM TDB would have to be changed such that they could be applied to the encryption of data. Alternatively, the principle of operation of Mamros would have to be changed such that it could be used to

heuristically group nodes, which is the aim of the IBM TDB. Neither are permissible (see MPEP 2143.01).

Accordingly, Applicant respectfully requests withdrawal of the pending rejections and allowance of claims 1-20.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.

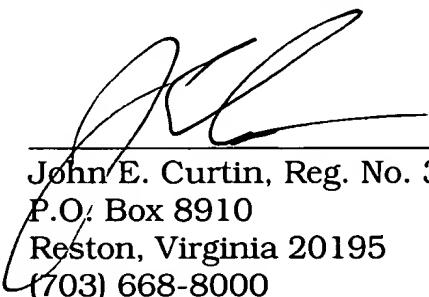
In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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